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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

Robert T. Bell et al.

RECEIVED

Serial No.:

09/032,083

AUG 27 2001

Filing Date:

February 27, 1998

Technology Center 2600

Group Art Unit:

2663

Examiner:

Huy D. Vu

Title:

SYSTEM AND METHOD FOR PERFORMING
SIGNALING ON BEHALF OF A STATELESS CLIENT

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

DECLARATION UNDER 37 C.F.R. § 1.131

I, Robert T. Bell, an inventor in the above-identified Patent Application, hereby make the following declaration:

1. I am an inventor of the subject matter of the above-referenced Application entitled "System And Method For Performing Signaling On Behalf Of A Stateless Client," filed on February 27, 1998.

2. The Examiner rejected all claims of the current Application in an Official Action dated May 23, 2001 based, in whole or in part, on U.S. Patent No. 6,201,804, entitled "Network Telephony Interface Systems Between Data Network Telephony and Plain Old Telephone Service Including CTI Enhancement," filed on March 9, 1998 and issued on March 13, 2001 (the "Kikinis Patent"), a division of Application No. 09/024,923, filed on February 17, 1998 (the "Effective Date").

3. Prior to the Effective Date, my co-inventors and I developed a complete understanding and appreciation of the subject matter of the above-referenced invention. With

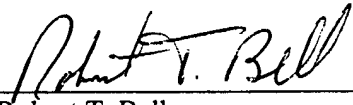
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the help of a patent attorney, we generated a draft of the Application that, prior to the Effective Date, was substantially identical to and included all of the subject matter of the Application as filed. It is my belief that no drafts differing from the Application as filed remain to be submitted as exhibits to this Affidavit.

4. Between the Effective date and our filing date on February 27, 1998, a period of ten days, we finalized the paperwork in anticipation of filing. Exhibit A is an Assignment transferring the rights to this invention from each of the inventors. This Assignment, executed on February 25, 1998, demonstrates some of our continuing activities, which began prior to the Effective Date and continued through to the filing date of the Application at issue.

5. I declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine, imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the Application or any patent issuing thereon.

Executed this 24 day of July, 2001.



Robert T. Bell

ASSIGNMENT

WHEREAS, We, Robert T. Bell, a citizen of the United States of America and resident of Davis County, and State of Utah, and Paul S. Hahn, a citizen of the United States of America and resident of Collin County, and State of Texas, and Michael H. McClung, a citizen of the United States of America and resident of Loudon County and State of Virginia, and Richard B. Platt, a citizen of the United States of America and resident of Collin County, and State of Texas, have invented certain new and useful improvements in a "SYSTEM AND METHOD FOR PERFORMING SIGNALING ON BEHALF OF A STATELESS CLIENT" disclosed in an application for United States Letters Patent (Application No. _____, filed _____), said application having been executed concurrently herewith;

WHEREAS, Selsius Systems, Inc., a corporation of the State of Delaware, having offices at 5057 Keller Springs Road, Dallas, Texas 75248 (hereinafter referred to as "ASSIGNEE"), is desirous of acquiring our entire right, title and interest in and to the invention, and in and to the said application and any Letters Patent that may issue thereon;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we do hereby sell, assign and transfer unto said ASSIGNEE, its successors, assigns and legal representatives, the full and exclusive right, title and interest in and to said invention and in and to said application and all patents which may be granted therefor, and all divisions, reissues, substitutions, continuations, continuations-in-part and extensions thereof; I authorize Glenn W. Boisbrun of Hitt Chwang & Gaines, P.C. to insert in the parenthesis above the application number and filing date of said application when known; and we hereby authorize and request the Commissioner of Patents and Trademarks to issue all patents for said invention, or patents resulting therefrom, insofar as our interest is concerned, to the said ASSIGNEE of our entire right, title and interest.

We also hereby sell and assign to said ASSIGNEE, its successors, assigns and legal representatives the full and exclusive rights, title and interest to the invention disclosed in said application throughout the world, including the right to file applications and obtain patents, utility models, industrial models and designs for said invention in its own name throughout the world including all rights of priority, all rights to publish cautionary notices reserving ownership of said invention and all rights to register said invention in appropriate registries; and we further agree to execute any and all powers of attorney, applications, assignments, declarations, affidavits, and any other papers in connection therewith necessary to perfect such rights, title and interest in ASSIGNEE, its successors, assigns and legal representatives.

We hereby further agree that we will communicate to said ASSIGNEE, or to its successors, assigns and legal representatives, any facts known to us respecting any improvements; and, at the expense of said ASSIGNEE, to testify in any legal proceedings, sign all lawful papers, execute all divisional, continuation, continuation-in-part, reissue and substitute applications, and

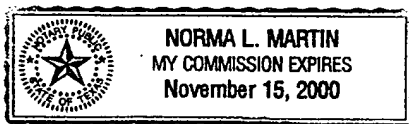
make all lawful oaths, and generally do everything possible to vest title in said ASSIGNEE and to aid said ASSIGNEE, its successors, assigns and legal representatives to obtain and enforce proper protection for said invention in all countries.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 25th day of February, 1998.

Robert T. Bell
Robert T. Bell

STATE OF UTAH TEXAS §
COUNTY OF Davis DALLAS §
§

On this 25 day of FEBRUARY, 1998, before me, a Notary Public in and for the State and County aforesaid, personally appeared Robert T. Bell, known to me to be the person named above who signed and sealed the foregoing instrument, and acknowledged the same to be his own free act and deed.



Norma L. Martin
Notary Public

My Commission Expires:

11-15-2000

Paul S. Hahn

Paul S. Hahn

STATE OF TEXAS

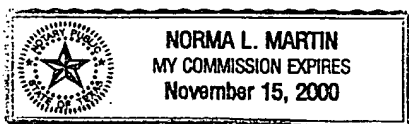
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COUNTY OF DALLAS

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On this 25 day of February, 1998, before me, a Notary Public in and for the State and County aforesaid, personally appeared Paul S. Hahn, known to me to be the person named above who signed and sealed the foregoing instrument, and acknowledged the same to be his own free act and deed.



Norma L. Martin
Notary Public

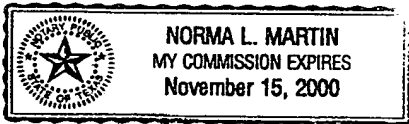
My Commission Expires:

11-15-2000

Michael H. McClung
Michael H. McClung

STATE OF Virginia ~~Texas~~ §
COUNTY OF Leadwell ~~Dallas~~ §

On this 25 day of Feb., 19 98, before me, a Notary Public in and for the State and County aforesaid, personally appeared Michael H. McClung, known to me to be the person named above who signed and sealed the foregoing instrument, and acknowledged the same to be his own free act and deed.



Norma L. Martin
Notary Public

My Commission Expires:

11-15-2000

Richard B. Platt

Richard B. Platt

STATE OF TEXAS

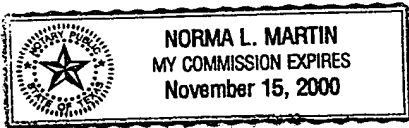
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COUNTY OF DALLAS

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On this 25 day of February, 1998, before me, a Notary Public in and for the State and County aforesaid, personally appeared Richard B. Platt, known to me to be the person named above who signed and sealed the foregoing instrument, and acknowledged the same to be his own free act and deed.



Norma L. Martin
Notary Public

My Commission Expires:

11-15-2000